

REMARKS

Claims 14-19 and 21-29 have been examined, and have been rejected under 35 U.S.C. § 103(a). Claims 1-13 and 20 were canceled in the September 16, 2003 Amendment, and claims 25-29 have been withdrawn in the current Office Action.

I. Preliminary Matters

Applicant respectfully requests that the initialed PTO 1449 form, for the March 19, 2002 Information Disclosure Statement, be provided with the next Office Action.

The Examiner has objected to the title as not being indicative of an illustrative embodiment of the invention. Accordingly, Applicant has rewritten the title, according to the Examiner's suggestion. Applicant submits that the title should not be construed to limit the scope of the claims.

II. Rejection Under 35 U.S.C. § 103(a) over U.S. Patent No. 5,644,107 to Kubota ("Kubota").

Claims 14-19 and 21-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Applicant's Admitted Prior Art ("AAPA"), in view of Kubota.

A. Claim 14

Applicant submits that claim 14 is patentable over the cited references. For example, claim 14 recites forming a conductive material layer of conductive material on a green sheet while filling through holes, such that first and second conductive regions of the conductive

material layer are formed, while defining a non-conductive region, having no conductive material, therebetween.

The Examiner maintains that the combination of the AAPA and Kubota disclose the claimed invention. However, Applicant respectfully disagrees.

For example, the Examiner maintains that the AAPA shows the claimed piezoelectric vibrator unit “structure”. However, Applicant submits that the AAPA does not show the claimed structure.

Regarding Kubota, the Examiner maintains that the reference teaches the claimed manufacturing method. In particular, the Examiner maintains that the highlighted portion of Attachment B (Fig. 3 of Kubota), provided by the Examiner, discloses the claimed non-conductive region. However, even by assuming *arguendo* that the surface of the mother laminate 14 of Kubota discloses the claimed conductive material layer, there is no first and second conductive region formed on the surface, such that the Examiner’s highlighted portion defines a non-conductive region therebetween.

Further, as stated above, claim 14 recites forming a conductive material layer of conductive material on a green sheet while filling the through holes. Kubota fails to disclose that the conductive material which fills the via holes 19 also forms the claimed conductive material layer, as required by claim 1. For example, the mother laminate 14 of Kubota is formed by stacking a plurality of mother insulating sheets 16, 17 (Fig. 2; col. 5, lines 41-48). The mother laminate 14 is provided with via holes 19 which are filled with conductive material 18 (col. 5, lines 51-53). The reference does not disclose that the conductive material 18 also forms a

conductive layer. In addition, on page 4 of the Office Action, the Examiner maintains that the external electrodes 12 form the conductive material layer. However, rather than forming a conductive layer on a green sheet, the external electrodes 12 are formed by the exposed side portions of the conductive material 18 of the via holes 19 (col. 5, lines 32-33).

Accordingly, Applicant submits that claim 14 is patentable over the cited references, and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claims 15

Since claim 15 contains features which are analogous to the features recited in claim 14, Applicant submits that such claim is patentable over the cited references for at least analogous reasons.

C. Claims 16-19, 21 and 22

Since claims 16-19, 21 and 22 are dependent upon either claims 14 or 15, Applicant submits that such claims are patentable at least by virtue of their dependency.

D. Claims 23 and 24

Claims 23 and 24 recite that a width of the through holes is formed to be larger than a thickness of the respective green sheet.

The Examiner maintains that a width of via holes 19 of Kubota are shown as larger than a thickness of the insulating sheets 16 (i.e. alleged green sheet) (Fig. 2). However, as noted in

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 09/894,121

MPEP § 2125, “[w]hen the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value.”

See Hockerson-Halberstadt, Inc. v. Avia Group Int 'l, 222 F.3d 951, 956 (Fed. Cir. 2000).

Accordingly, the Examiner cannot properly argue that Fig. 2 suggests the claimed dimensional comparison.

Also, the Examiner maintains that the claimed dimensional comparison is a matter of obvious design choice. However, in the non-limiting embodiment disclosed on pg. 7 of the present Application, the claimed width of the through holes makes sure that the conductive material is surely filled into the through holes. Therefore, Applicant submits that the claimed dimensional comparison is not an obvious matter of design choice.

Accordingly, Applicant submits that claims 23 and 24 are patentable over the cited references. In addition, since claims 23 and 24 are dependent on claims 14 and 15, respectively, Applicant submits that such claims are patentable at least by virtue of their dependency.

III. Newly Added Claims

Applicant has added claims 30-33 to provide more varied protection for the present invention. Applicant submits that such claims are patentable at least by virtue of their dependency.

Amendment under 37 C.F.R. § 1.116
U.S. Application No. 09/894,121

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

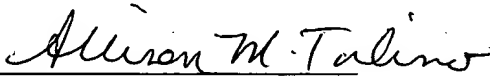
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Allison M. Tulino
Registration No. 48,294

Date: March 3, 2004